REMARKS

Claims 1-35 are pending; claims 1, 2, 9, 19 and 20 are independent. All claims stand rejected. Applicants have amended independent claims 1, 2, 9, 19, and 20, to more distinctly claim their invention, and added dependant claims 36-49.

Rejections Under 35 U.S.C. § 103(a)

Claims 1-35 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tagami et al., United States patent 5,812,369 in view of Klein et al., United States patent 5,726,885.

Applicants respectfully request that the rejection of independent claims 1, 2, 9, 19 and 20 be withdrawn in view of amendments to the claims that distinguish the prior art cited by the Examiner and the prior art cited in the supplemental IDS, filed herewith. Examiner is directed to the Office Action for Application Serial No. 09/348,518, mailed November 27, 2002, wherein the Examiner, in Applicants' related application, allowed claims bearing the added element in light of the prior art now currently before the Examiner.

The remaining claims narrow the independent claims they depend from, therefore the rejection of the remaining claims should also be withdrawn.

Applicants respectfully submit that their claims are in condition for allowance, and request notice thereof.

The Commissioner is hereby authorized to charge any additional fees to Deposit Account 131 241 or to credit any overpayment to the same for all matters during the prosecution of this application.

Respectfully submitted,

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Marked-Up Version To Show Changes

1. (Amended) A method for determining an order of allocating electric vehicles for use depending on different charge levels of the vehicles, comprising the steps of:

having a user enter an expected distance of an intended trip;

selecting a group of vehicles **based on vehicle location information, each vehicle** having charge levels which are adequate for covering said expected distance of an intended trip; and

allocating a vehicle having a highest level of charge in the selected group.

2. (Amended) A method for allocating one or more vehicles from fleet of electric powered vehicles to one or more users, wherein each vehicle has a state of charge (SOC) at any given time, the method comprising:

receiving a travel request from a user;

selecting a group of one or more vehicles from the fleet **based on vehicle location information**, where each selected vehicle has an SOC sufficient to meet the travel request from the user; and

allocating the vehicle having the highest SOC in the group for the user.

9. (Amended) A method for allocating one or more vehicles from a fleet of electric powered vehicles to one or more users, wherein each vehicle has a state of charge (SOC) at any given time, the method comprising:

providing a user – interface terminal at one or more ports;

receiving travel request information from a user at a user – interface terminal and communicating the travel request information to a computer;

operating the computer to select a group of one or more vehicles from the fleet **based on vehicle location information**, where each selected vehicle has an SOC sufficient to meet the travel request information from the user; and

operating the computer to allocate the vehicle in the group having the highest SOC for the user.

19. (Amended) A method for allocating one or more vehicles from a fleet of electric powered vehicles to one or more users, wherein each vehicle has a state of charge (SOC) at any given time and the rate at which any given vehicle within can be charged is dependent upon the SOC of the vehicle wherein a plot of the SOC of the vehicle being

charged versus time defines a generally linear region at lower SOC levels and a nonlinear region at higher SOC levels, the method comprising:

receiving a travel request from a user;

selecting a group of one or more vehicles from the fleet **based on vehicle location information**, where each selected vehicle has a SOC sufficient to meet the travel request from the user; and

allocating the vehicle within the group having an SOC within the nonlinear region and, if no vehicles within the group have an SOC within the nonlinear region, then allocating the vehicle within the group having the highest SOC for the user.

20. (Amended) A vehicle allocation system for allocating one or more vehicles from a fleet of electric powered vehicles to one or more users, wherein each vehicle has a state of charge (SOC) at any given time, the vehicle allocation system comprising:

one or more ports at geographically remote locations relative to each other, each port having a user – interface terminal for receiving a travel request from a user;

a computer system coupled in communication with at least one user – interface terminal and programmed to respond to a travel request received from a user, for selecting a group of one or more vehicles from the fleet **based on vehicle location information**, where each selected vehicle has an SOC sufficient to meet the travel request from the user, said computer system being further programmed to allocate the vehicle having the highest SOC in the group for the user.

Please add claims 36-49.